42

THE ANSWER OF Sir Willam Scroggs, Kt. Lord Chief Justice of the *King's-Bench*, TO THE ARTICLES OF Dr. *TITUS OATES*, and Mr. *WILLIAM BEDLOW*.

I. TO the first he saith, That the Lord *Brudenel* was Bailed by the Court of the *King's-Bench* in open Court, and afterwards by the Court discharged; with this, That *William Bedlow* did importune the Lord *Westmoreland* to get the said Lord *Brudenel* discharged, for that he had nothing to say against him, as he said to the Lord *Westmoreland*. *See the Rolls of Court.*

II. To the second he saith, That as to his omitting or misrepeating the Evidence at Sir *George Wakeman's* Tryal, it is a Reflection upon the whole Court, to suppose it true, and that they should let it pass. But he saith, That Mr. *Oates* being ask'd at that Tryal, why he did not charge Sir *George Wakeman* at the Council-Table with a Letter under his own hand concerning the Death of the King? he answered, He did not know but that he did: To which it was replied, It is plain he did not; for then the Council would have committed him: To which Mr. *Oates* replied, That that Council would commit no body for the Plot. Which might be the cause of the Misdemeanour of *Frowning* in the Articles mentioned.

III To the third he saith, He doth not remember that ever he expres'd much concerning their Credit before that Tryal, but that there were some passages at that Tryal, which gave him great cause of doubt; which he hopes he might do, without making it an Article of Misdemeanour.

IV. & V. To the fourth and fifth he saith, That the Persons in the Articles mentioned, were committed by him for publishing several libellous and scandalous Papers, which were proved against them upon Oath: Which Commitments, even of a *Feme Covert* also, notwithstanding Mr. *Oates* and Mr. *Bedlow's* Skill, were according to Law; though there is no Law for these persons to call me to account for Judicial Acts done upon other Men.

VI. To

VI. To the ſixth, which is an inſolent Scandal, he referreth himſelf to the Teſtimony of that Gentleman of Quality, whoever he be.

VII. To the ſeventh he ſaith, That the perſons in this Article were bailed and diſcharged by the Court, where the Attorney General was firſt called; but indeed Mr. *Oates* and Mr. *Bedlow*'s Conſent was not askt.

VIII. To the eighth, he ſaith, He conceives himſelf not obliged to do all the buſineſs that Juſtices of the Peace may do; and though without an offence he might have given ſuch an anſwer as is mentioned, yet he did not, but a ſervant of his did.

IX. To the ninth he ſaith, That when the cauſe was tryed, he told the Jury the matter was plain, and ſo did the reſt of the Court; upon which he went away, without any Compliment to Mr. *Oates*, to try Cauſes in *London*.

X. To the tenth he ſaith, that *Osborne* made onely two Affidavits before him, the ſubſtance of one was, That one *Bowring* a ſervant to Mr. *Oates* had ſaid, that he had heard Mr. *Oates* ſay, That the Kingdom of *England* would never flouriſh, until it became Elective, and the Kings choſen by the People. The other Affidavit was, when he was ſent to him by an Order of Council to be Examined, wherein amongſt other things he Swears, That though at the Tryal of *Knox* and *Lane*, it was asked where *Osborne* was, and Mr. *Oates* his Counſel anſwered that he was fled, yet *Osborne* ſwears, that he at that time was at his Fathers Houſe in the Country, and that Mr. *Oates* knew it; That he took his leave of him the day before he went, and told whether he went, and ſaw a Letter wrote by Mr. *Oates* to his Father to ſend for him; notwithſtanding it was carried at the Tryal as if he had been fled no man knew whither; ſo that the Affidavit which the Article chargeth me for permitting to be made, was not Sworn before me.

XI. He ſaith, it is more to be wondred how Mr. *Oates* ſhould dare to Charge that as an Article of Miſdemeanour, which was ſaid in the Kings preſence, and yet repeated falſe too.

XII. That at *Monmouth* Aſſizes he did tell Mr. *Bedlow*, that he was more unſatisfied about Mr. *Langhorns* Tryal than all the Reſt; and the rather, for that he was credibly informed ſince the Tryal, that Mr. *Langhorns* Study was ſo ſcituated, that he that walked in his Chamber could not ſee Mr. *Langhorne* write in his Study: which was Mr. *Bedlow*'s Evidence.

XIII. He ſaith, the matter complained of is a meer Contract with other Men, of which he thinks himſelf not bound to give Mr. *Oates* and Mr. *Bedlow* any other Account, but that by the taking of Twenty Guinies he loſt forty; and that his backwardneſs to go into Court to *Wakeman*'s Tryal, makes it look as if he had not had Ten thouſand pound to favour *Wakeman* in this Tryal.

If theſe ARTICLES ſhall appear to Your Majeſty to be frivolous, or ſcandalous, or not true; I humbly pray Your Majeſty's juſt Reſentment thereon, in Honour to Your Courts *and* Government.

And that ſuch an unknown Attempt *may not go unpuniſhed, That the Promoters may be left to be proceeded againſt according to Law.*

FINIS.

THe Articles of Dr. *Titus Oates* and Mr. *William Bedlow* againſt the Lord Chief Juſtice *Scroggs* were heard this 21*th* of *January*, 1679. before the King and Council; and upon the hearing of both ſides, Dr. *Oates* and Captain *Bedlow* are left to be proceeded againſt according to Law.

133950